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Separation
Of Department
And Board

Taxpayers'
Revolt And
Corrections

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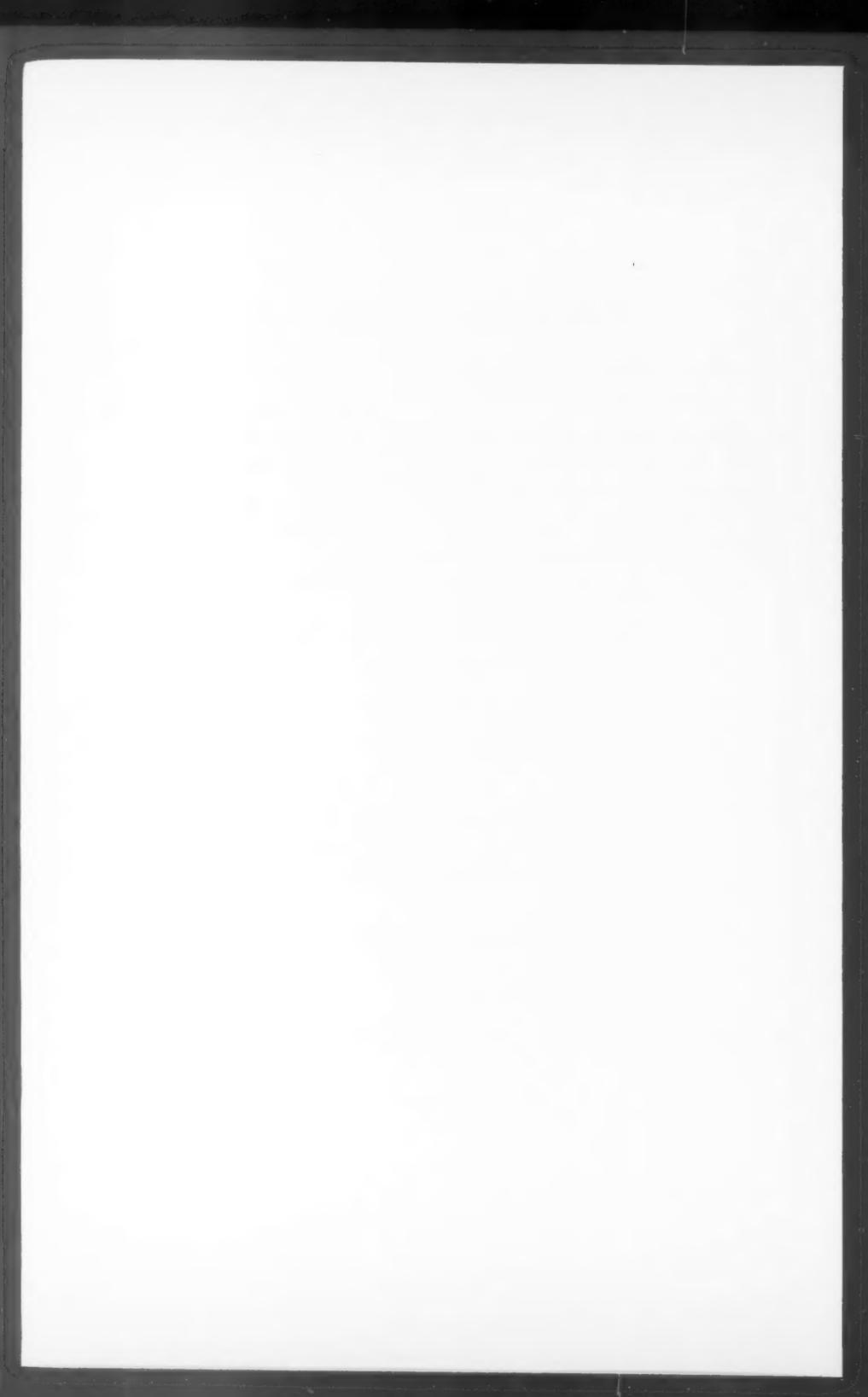
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SEPARATION OF BOARD AND DEPARTMENT

The following press release describes the separation of the Youth Authority Board and Department, ending 38 years of combined administration. In a future issue, the Quarterly hopes to publish an article describing the operation of the Youth Authority Board as a separate entity known as the Youthful Offender Parole Board.

A major internal change went into effect on Jan. 1, 1980, at the California Youth Authority, the largest state youthful offender agency in the U.S.

On that date, Assembly Bill 1421 became law, separating the Youth Authority Board from the Department and creating an independent Youthful Offender Parole Board.

The new law changes the basic organization of the Department which has been in effect since the Youth Authority Act was passed in 1941. Until now, the Youth Authority Board had been a part of the Department, with the Director of the CYA—currently Pearl S. West—also serving as Chairman of the Board.

The Board, whose eight members are appointed by the Governor, was responsible for paroling and program placement decisions concerning all wards committed to the Youth Authority. There are now almost 5,000 wards in Youth Authority institutions and camps and 6,500 on parole.

Board responsibilities include return of persons to the court of commitment for redisposition, discharge of commitment, orders to parole, conditions of parole, recommendation of treatment programs, determination of the date of next Board appearance and return of non-resident persons to the jurisdiction of the state of legal residence. The new Board is assigned the same responsibility under AB 1421.

The new law reduces the size of the new Youthful Offender Parole Board from eight to seven, with one of them to serve as chairman. The new chairman was designated early in January by Gov. Brown. He is Antonio C. Amador, who had been a member of the old Youth Authority Board.

Separation of the Board and the Department—an arrangement similar to the organization in adult corrections in California as well as of most other correctional agencies throughout the U.S., has been proposed in California for several years. In 1979, however, the legislative bill—AB 1421 introduced by Assemblyman Richard Alatorre—received the support of the Brown administration and Youth Authority Director West.

She said the change will clarify the roles which both the Department and the new Board will play. The Department, she said, will now be able to concentrate on its legal mandates, including an increased emphasis on delinquency prevention and intensive planning to provide for an increasing population. The Board will be placed on a footing equal to that of other paroling bodies across the country, she added, and can concentrate on decisions involving individual cases in concert with the needs of society and the best interests of the particular cases.

"It is a change," she said, "whose time had come."

The Department and Board have launched an intensive planning and implementation effort to create a smooth transition and to ensure a future cooperative working relationship between the two bodies.

To centralize the overall planning process, West has appointed a steering committee chaired by herself, with Chief Deputy Director Charles A. Kuhl serving as vice-chairman. Other members include representatives from the Board and Department units immediately concerned with the change.

Subcommittees have been named to deal with specialized issues involving Board concerns, operational issues involving wards, such support matters as the allocation of equipment to both Board and Department, and assignment of personnel to one or the other of the two bodies.

West said the separation marks the first major organizational change in the 38-year history of the Youth Authority, and she expressed confidence that it will improve the administration of youth corrections in California.

"I am certain," she said, "that the Department and Board will be able to continue working together closely and effectively as separate bodies that are unified in a common purpose."

THE TAXPAYERS' REVOLT: BUDGETARY CRISIS IN CORRECTIONS

BY PEARL S. WEST

Ms. West is Director of the California Youth Authority

In this presentation, made at a panel of the American Correctional Association national meeting in Philadelphia on Aug. 23, 1979, the speaker warns of possible consequences facing the entire correctional field if the taxpayers' revolt of the late 1970's continues and expands.

The title of this particular panel—"The Taxpayers' Revolt: Budgetary Crisis in Corrections" has a sort of *deja vu* ring to any student of American history. After all, it was back in elementary school days that we were told tax revolts were a part of early American history, what with the Boston Tea Party and the slogan that led to the revolution against England—"No Taxation Without Representation." In the historical context, taxation has always been regarded as something that is, at best, a necessary evil. If it is evil, it is because taxation is a burden on the citizen. If it is necessary, it is something that we must grudgingly bear. In any case, the public's view of taxation has never been known for its fondness and it is as a part of this equation that corrections enters the picture.

Correctional services are totally dependent on tax funds to support its operations. In the State of California, these services have been strongly affected by a modern-day tax revolt which has been manifested by such phenomena as the passage of Proposition 13 and the philosophy of a Governor who believes that less is more. We have been challenged to see if we can make more of less and what we have sought to accomplish may well be of interest elsewhere in the nation. Toward that end, I am here to share with you something of the California experience.

There are four major problem areas in dealing with the budgetary crisis in corrections, only one of which is the most obvious of all—money. A second problem is the community that we serve and upon which we are dependent for support. A third involves ourselves—those of us who are in the correctional field. The fourth and final one is more complex. It is an understanding that the long range solution to the budgetary crisis in corrections lies in a recognition that the problem and the solution are greater than corrections, or even the criminal justice system, by themselves. It is an understanding that we can, and must, engage more of society in playing a more active, knowledgeable and effective role in dealing with the problems of both corrections and the criminal justice system as a whole.

The remarks of Duane Elgin and Robert Bushnell in "The Futurist, 1977" are apropos. "Social systems tend to decline in performance as they become bigger, more complex and increasingly incomprehensible," they wrote. The kind of disruption of which they spoke came about in California just last year in the form of Proposition 13, whose author, Howard Jarvis, won tremendous public support by calling public employees slothful and stupid, charging that they habitually extended the 10-minute coffee break to 30 minutes of mental slumber, and were more interested in their paychecks than in serving the public. Through

such tactics as these, Jarvis called on the voters to rise up in revolt, to demonstrate that they were in charge, and the people responded to this call. Proposition 13 was passed by a massive landslide and became California's law of the land. It served as a clarion call to other states to do likewise. And other states certainly have responded in kind.

The New York Times reported on August 5, 1979, that middle income taxpayers in New York were given a multi-million tax break. That was the reality, although the legislation was billed as something that protected the overtaxed "poor." From coast to coast, taxes were reduced largely to benefit farmers, manufacturers and homeowners. A survey by the National Conference of State Legislatures showed that 22 states have cut property taxes; 15 have curtailed sales taxes; 18 have reduced income taxes; eight have voted tighter spending limits. Maine, looking out for its own special constituencies, in another pattern, has given tax relief to farmers and reductions in taxes on fishing equipment. All of these examples underscore the fact that to most people, the problem in providing for governmental services is money, and money alone. Cut the flow of money to government, it is widely believed, and all will be well.

Effects of Proposition 13

The problem, of course, is not quite that simple. James Farmer, executive director of the Coalition of American Public Employees, has observed that the tax revolt, as exemplified by Proposition 13, has been a blow to the poor at the same time it has been a windfall for the rich. In the correctional field, the chief sufferers have been the clients of the system, although in the long run the general public may suffer even more. Soon after Proposition 13 became law, a major disaster in the loss of public services of all kinds was averted through a bail-out strategy in which surplus state funds were diverted to the counties. The shifting of money from one governmental pocket to another can buy time before needed government services are starved out, but it will not work well in the long run. The community, which expects and needs a host of services that only government can provide, will inevitably become totally alienated from its own institutions. In the end, the dissatisfaction that comes from doing nothing will cost much more than what may appear at first to be less costly alternatives.

At this point it would be well to look at the second problem area that I mentioned at the outset—the community. From those of us in corrections, the public has an expectation that may not be realistic. The citizenry expects us somehow to find a cure for crime, and they are surprised and somewhat disappointed to learn that we cannot do so. At the same time, the public wants corrections as far away from them as possible; in fact, it is happiest when it hears nothing about us. At the same time as it is indifferent to our successes and hostile when there are failures, it wants us to do our jobs as cheaply as possible.

This is an over-simplified and possibly unfair conception of the public. There are indeed, members of the public who care deeply about corrections and the problems that it faces in protecting society while seeking to convert offenders to non-offenders. They are, however, in the minority. For the most part, the public finds bureaucracy, of which corrections is a part, to be growing in size and to be declining in effectiveness. For that reason, the public is eager to support what they perceive to be a tax revolt against big government and small productivity.

Having briefly discussed the problems of money and of dealing with the community, I would like to look for a moment within corrections itself. Those

who feel that we somehow cause crime or cure it are mistaken. Corrections by itself cannot do so, nor can the police and the courts in concert with corrections. The time has come for the system as a whole, including corrections in particular, to shed the mantle of guilt over what the public perceives as our failures. It is time to stop acting as though shifting money from one agency to another will provide the long-sought cure. This is just an expedient without permanent effectiveness. What needs to be done is to marshall the resources of the community through a public education campaign which would demonstrate the public's stake in correctional programs. Society must understand that it cannot divorce itself from correctional activity and simultaneously expect corrections to "cure" offenders. Normalization of behavior for offenders can come about only through greater exposure to normal experiences while they are under correctional control. People in the community are the keys to providing such normalization.

The basis of this approach is an all-out media effort that would explain what corrections can and cannot accomplish and why the public must involve itself in our efforts. Friends in the community should be aggressively organized, so that they can generate more people to join with them. Such community involvement would provide more than the volunteers who are already working so effectively to extend their helping hand in so many ways—by visiting with inmates, writing letters to them, teaching them skills, and providing the warmth and fellowship of fellow human beings. Citizen involvement always provides the basis for a wider area of support at budget time, when funds for needed programs are doled out. Citizen advocacy could go a long way toward overcoming the bureaucratic inertia and political ignorance which restricts the relatively small amount of funding which could make all the difference between success and failure in working with offenders.

Nuclei for Citizen Involvement

In California, two kinds of organizations are proving themselves to be nuclei for growing citizen involvement.

The passage of Assembly Bill 90 last year created a County Justice System Subvention Program through which the state earmarked \$55 million during the past year for justice system programs in the counties. Recommendations to boards of supervisors of programs for funding in each of the participating counties is in the hands of an advisory group made up of representatives of private organizations and public agencies who directly represent society as a whole.

A second important kind of group are the Juvenile Justice and Delinquency Prevention Commissions in the counties. These commissions, which also directly represent the public, are growing and becoming increasingly effective. The Juvenile Justice Commissions are appointed by the judges of the juvenile court and the delinquency prevention commissions are appointed by the boards of supervisors. Members, in both cases, are largely citizens who have demonstrated long-time and deep concern with the problems of young people. In many counties, the commissions are merged and they carry out such functions as inspection of juvenile halls and providing leadership for the establishment of delinquency prevention programs in the community.

The advisory groups for the County Justice System Subvention Program work within the system. The Juvenile Justice and Delinquency Prevention

Commissions provide a vital bridge from the system to the community. The two of them are entrees to total involvement of the community, and I predict that such involvement in California will grow as the two groups expand their activities and their influence.

Intra-Community groups that are concerned with corrections must have leadership so that a unified strategy can be maintained throughout the state. It is my contention that such leadership must come from within the correctional field. In this way corrections can be the catalyst for improving the system and making it more effective.

There are many ways through which such leadership can be provided. One is through national meetings such as this one, where we can share our knowledge and ideas. Then, after we return home, we need to share our knowledge, not only among others within our own correctional departments and other agencies concerned with corrections, but also with other elements of the criminal justice system. We should meet regularly with law enforcement, judges and others in the criminal justice system to establish patterns of mutual aid and cooperative action. We should do our planning not only in the context of working out differences in dealing with immediate issues, but also to face the longer-range problems of working with state and federal government to obtain the resources which are needed by all of us to carry on our work with maximum effectiveness.

The resources which are needed can be used to further many urgently needed programs, and I would like to suggest a few. First, let's invest in something that would provide for restitution either with money or social services. Secondly, we should carefully examine and then reform our bail system under which, all other things being equal, the poor must often now remain under lock and key while the wealthy are able to remain free. And let's make sure we have the resources to train offenders for jobs and provide them with options to ensure that there is some legitimate way for them to acquire the funds to pay for rent and food until they are able to support themselves when they return to the community.

And most important of all, we must work closely with the offender and his family from the time of his commitment to a correctional agency. We should provide the counseling to reintegrate him with his family, or, if that is not feasible, to help him make it on his own two feet.

A Bleak Alternative

If corrections cannot have the resources and it cannot implement needed programs, the alternative presents a bleak picture. A spiral of increased crime and legislation that increases penalties for crime will be inevitable. The loss to society, from both a financial and human standpoint, will grow. In the correctional field, this may be the bitter result if the taxpayers' revolt continues.

I repeat that the problem is not just money. The problem also involves the community and ourselves in corrections, but that too, is not all. The problem is bigger than all of these things. In the final analysis, the problem to be overcome lies in a growing awareness that what must be accomplished is beyond the means of just corrections and the rest of the criminal justice system. The solution rests on our ability to lead all of society into higher levels of understanding, participation and support that will be needed to provide effective programs that will lead offenders away from a life of crime. Money alone will not accomplish this, but the human spirit will.

PSYCHODRAMA WITH DELINQUENT ADOLESCENTS

BY SELMER WATHNEY, PhD

Dr. Wathney is staff psychologist for the Wintu Intensive Treatment Program at the Youth Authority's Northern Reception Center-Clinic

Psychodrama techniques are currently used at the Northern Reception Center-Clinic, one of three Youth Authority institutions which are funded to provide intensive treatment programs for wards with a background of psychiatric problems. Here, the author describes the application and potential benefits of psychodrama.

Psychodrama is an approach to therapy having a wide range of application and power which is also matched by its economy of theory and flexibility of technique. Originally developed by J. L. Moreno in 1911, psychodrama is intended to approximate the problem situations of real life and engender learning new means of solving them (Harper 1959). It is an active, practical approach to producing change which includes role playing, acting out of situations, and working through of difficulties. Psychodrama does not fall within the confines of psychoanalysis or other theoretical models, but is described by Greenberg (1968) as an extension and expansion of the clinical interview. It may be applied to a wide range of populations, including psychiatric patients, incarcerated persons, social deviates, and people in industrial settings.

Psychodrama is used as a diagnostic tool by some practitioners, as a therapeutic method by adherents of diverse schools, as a training technique and in guidance, pastoral, and marriage counseling (Haskell 1975). This model provides a framework wherein people can examine their relationships with others and can experiment with alternatives. Opportunities are created for participants to improve their abilities to recognize and understand problems with relationships, to become aware of alternate solutions, and to increase their abilities to choose and act upon those alternatives.

Psychodrama techniques are among those used with T.A./Gestalt and behavior modification at the Wintu Intensive Treatment Program. Wintu Lodge is a 40-bed medical-psychiatric program, located at the Northern Reception Center-Clinic in Sacramento, which is designed to provide treatment for Youth Authority wards having severe psychological problems. These young offenders pose the need for specialized treatment beyond that which is available in regular Youth Authority programs.

Redwood Lodge, at Preston School of Industry in Ione, and the Marshall Program at the Southern Reception Center-Clinic, in Norwalk, also meet the treatment needs of wards with serious emotional problems.

The beneficial effects of psychodrama experiences have been described by Haskell (1967) as catharsis (anxiety reduction), insight (new understanding), increased spontaneity (being better able to respond in new situations), and improved sociometric status (choosing to associate with more people and being

chosen by more). Harper adds that psychodrama provides the setting for the "corrective emotional experience." This is described by Alexander and French (1946) as the "secret of very penetrating therapeutic result," and is defined by them as "re-experiencing the old unsettled conflicts but with a new ending" and as depending on the therapist's ability to "produce a replica of the traumatic situation with sufficient vividness to make it realistic." Yalom (1970) also considers the concept as one of the fundamental curative factors in group therapy and describes it as "a strong expression of emotion within a supportive group, followed by reality-testing feedback, a recognition of the inappropriateness of some aspects of the client's behavior and feelings in the here-and-now, and a consequential facilitation of deeper, more honest interpersonal relationships." The reader may notice that the description of the corrective emotional experiences almost identical with that of the psychodrama process. Holtby (1975) states that psychodrama, with its utilization of trained auxiliary egos, emphasis on interpersonal relationships, and enactment of experiences in the present, offers all the necessary components to produce the necessary vividness and impact of action to facilitate emergence of the corrective emotional experience.

The action of psychodrama takes place in the here-and-now to provide the opportunity to experiment with new behaviors in a flexible, safe environment. Total involvement in the situation is encouraged to aid in communication. Past and present relationships can be explored, as can anticipated problems. The individual is held responsible for himself and is urged to choose and experience for himself. Each individual is presented the opportunity to increase his awareness of alternatives during the group process.

No diagnostic labels are employed in traditional psychodrama groups as each person is considered a unique human being rather than as a "psychopath" or a "depressive neurotic" (Haskell, 1975).

Phases of Psychodrama

The three stages of the psychodrama group are continuous and flow naturally from the warm-up through the action stage to the discussion. The meeting begins with the members voicing the problems they want to work on. As a problem area is agreed upon, a protagonist is selected who has a problem in that area. The director's opening remarks are aimed at arousing the interests of the group members. As he interviews various individuals, communication is stimulated and the warm-up action is employed to insure the emergency of a protagonist. The director displays no preferences and rejects no problem areas. He acts with the group in selecting the topic and protagonist. As the action stage begins, the protagonist presents himself and his situation to the group for their information. He is able to examine his interactions in safety and is encouraged to express himself as completely as possible. The scenes which are selected by the protagonist are enacted in the present tense and the essence of the problem is of importance rather than factual items. According to Yablonsky (Greenberg 1968), growth is brought about through the effective channeling of group dynamics for the benefit of the individual. This growth takes place *in situ*. After the action has been concluded, the director leads the group in the discussion. The members relate their own experiences of the type just enacted and share alternatives with the protagonist (Haskell 1967).

Techniques

There are many variations on the basic techniques of psychodrama. Within a group of people, an almost infinite number of interactions are possible; however, several fundamental procedures are employed most frequently and effectively. These will be listed below, and examples will be given in the following section.

Role Reversal—The protagonist trades roles with an auxiliary ego, allowing him to experience the other's point of view.

Double—An auxiliary ego is stationed near the protagonist and assumes his identity to aid him in expressing his emotions.

Mirror—An auxiliary ego plays the role of the protagonist as previously enacted, allowing him to see how he appears to others.

Empty Chair—An empty seat is employed for imagining an absent adversary who can then be interacted with.

High Chair—The protagonist sits, or stands, above everyone else in order to gain a sense of power.

Dream—A dream of the protagonist's is reenacted as the situation.

Anger Pillow—A pillow is placed in front of the protagonist for him to beat on while expressing anger.

Some other common tactics are the soliloquy (protagonist thinking out loud), the ideal other (an auxiliary ego plays the protagonist's idealization of someone), the blackout (lights are dimmed), the magic store (protagonist may trade one valued item for another), and behind your back (protagonist sits with his back to the audience as they discuss his situation and behavior).

Specific Application

The psychodrama approach is particularly well-suited for use with a delinquent adolescent population for a number of reasons. This is a group of clients wherein sub-cultural pressures are both intense and restrictive. There is high emphasis on the "macho" role, which demands little display of emotion or regard for others. Individuals who have been in this type of setting for a long while have often suppressed their feelings so well that they are no longer aware of them. Spontaneity is notably absent as these clients attempt to fill all their experiences into rigidly defined patterns and react to them in a stereotyped manner.

The high involvement in role-playing (albeit negative roles) in this population offers one key to obtaining active participation in therapy *qua* psychodrama. As young people display a strong tendency toward play-acting, and in consideration of the degree of energy that delinquents expend in fitting themselves into artificial roles, they are capable of, and amenable to, assuming other roles under proper conditions. With psychodrama presented as an opportunity to "act" in a safe, permissive setting, it is perceived as less threatening than involvement in a regular therapy group. As delinquent youths have often failed in their attempts to deal with reality in other ways, they may choose to employ fantasy as an alternative for coping. Adolescents' involvement in fantasy, and their proclivity for boasting of their exploits also indicates that psychodrama can be a viable treatment modality. Perl (1963) recommends encouraging acting out of fantasy and using the common desire for occupational success as introductory subject matter for psychodrama. Once the clients feel at

ease and demonstrate some commitment, the topic of the drama can be expanded to allow them to experience their problem areas. Eliasop (1955) describes psychodrama as a successful method for bringing adolescents' feelings into awareness and expression, and for subsequently increasing participation in other forms of group therapy. Weiner (1970) also cites evidence that the modeling effects of positive role-playing contributes to changes in behavior and attitudes of delinquent youths.

Lack of empathy and social skills, especially inappropriate expression of aggression, are major problems for these individuals. Through participation in psychodrama, they can learn more appropriate and effective ways to interact with non-delinquent, as well as delinquent, peers and with adults. They are also afforded the opportunity to gain an appreciation for the feelings of others while they are learning to experience and express their own emotions. Carpenter and Sandberg (1973) found the application of psychodrama techniques to youthful offenders beneficial for increasing their empathy, improving their communication skills with peers, enhancing their contact with their emotions and the ability to respond to them, and encouraging the acting-out of negative impulses in fantasy rather than behavior.

In the author's work with juvenile delinquents, psychodrama was used in conjunction with T.A. and Gestalt Therapy. The psychodrama techniques were found to be successful for getting a client started in therapy, and other approaches could later be used as appropriate. In the case of one very rigidly stereotyped delinquent, psychodrama facilitated the primary breakthrough. "R" seriously lacked spontaneity and humor, related poorly with adults and peers and often acted out violently. The initial situation involved "R" confronting his mother (fantasized in the empty chair during part of the action and portrayed by an auxiliary ego at other times) about her improper treatment of him as a child. An auxiliary ego served as a double, standing behind "R" and helping him to sense and voice his feelings of hurt and anger. Another mirrored a portion of "R's" performance to allow him to see how he was appearing to his "mother" and other group members. An anger pillow was provided for him to pound on to vent the large store of anger that he had been holding for so long. As "R" struck the pillow, he yelled his feelings (with prompting from his double) at this mother. The high chair technique was also employed, "R" standing, while his mother sat, to increase his feelings of power.

After a great deal of ventilation, he was able to allow himself to recognize positive feelings that he had for his mother. Through role-reversal, "R" took the part of his mother and responded as her to his confrontation. He thereby discovered that she had regrets to express and some positive sentiments for him. He finished by expressing his newly contacted affection for her.

This client appeared to undergo a corrective emotional experience by contacting the source of his near-constant anger, and through appropriately expressing the anger and associated hurt feelings was able to let go of it. He was then able to become aware of long hidden positive feelings for his mother and himself. As a result, "R" felt much less free-floating anger, less hurt and guilt regarding his mother, and had newly gained good feelings for himself.

In subsequent psychodrama and Gestalt groups, "R" continued to work and solve problems, eventually achieving an impressive increase in cheerfulness and spontaneity in his ability to express feelings, and having cleared up a great deal of unfinished business. He also made many new decisions about how to live and behave and improved his relations with peers and staff members tremendously.

A Promising Model

The interaction with, and feedback from peers, aids the adolescent in his growth experiences. The members of the audience are also given implicit permission to work on their problems by observing the protagonist successfully solving his problems. They are also able to see that others have difficulties similar to theirs.

As psychodrama reveals the client's customary behavior patterns and defenses, it is an excellent method for assessing a delinquent adolescent's strengths and problem areas. Since it also enhances appreciation for the feelings of others, is conducive to improving social skills, and aids the client in contacting and expressing his own emotions, psychodrama is a promising model for working with the difficult population of youthful delinquents.

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A NEW SLANT ON RESTITUTION

BY CAL REMINGTON¹

Mr. Remington is director of the Juvenile Restitution Project operated by the Ventura County Corrections Services Agency

Restitution is viewed as a program approach with a two-pronged advantage—reimbursement of the victim while the offender is required to accept responsibility to make good what the victim has lost. A three-year project which will test the effectiveness of restitution is under way in Ventura County, California, and in four other locations around the U.S.

Crystal Endicott of Santa Paula, Calif., would prefer to have her stolen jewelry returned, and is not certain that the juvenile who admitted to taking it has learned his lesson, but she was pleased to receive the \$140 in restitution from a Ventura County Deputy Probation Officer as a part of the Juvenile Restitution Project, an experimental program begun in Ventura County in January, 1979.

"I'm glad to be getting something to show that something is happening," said Endicott, shortly after being handed the restitution money. "It's better than putting a kid in Juvenile Hall."

The youth convicted of breaking into Mrs. Endicott's home was ordered to pay \$1,260 to help make up her losses, and the \$140 was his first payment. Although it may be a while before the entire sum is repaid, one of the primary goals of the Juvenile Restitution Project is to make the juvenile understand that another person suffered as a result of his actions. And what project staff are concerned about is the process: goal-directed procedures that make the problem more tangible, so that the juvenile can understand the ramifications of his behavior. The project makes it clear to the youth that he has a direct responsibility for his actions.

In Ventura we are addressing this problem of juvenile accountability with the help of an \$859,000 grant from the Federal Law Enforcement Assistance Administration. The Ventura Juvenile Restitution Project is one of 43 LEAA juvenile restitution projects nationwide and is the only funded project with a residential facility included as an integral part of the program.

Restitution

Restitution is not a new concept in the Juvenile Justice System. Juvenile courts have on occasion ordered monetary reimbursement to the victims of juvenile crime. Such payments have helped to satisfy the long-neglected issue of the juvenile justice system's frequently questionable responsiveness to the victims of crimes. But of the \$12,500 restitution ordered by the Juvenile Court of Ventura County in 1977, a mere 35 percent was collected and given to the victims involved. The results for 1978, although not yet fully evaluated, appear to be only somewhat better.

1. Mr. Remington can provide additional information about the project. He can be contacted at the Corrections Services Agency, 501 Poli St., Ventura, CA 93001.

However, the approaches utilized by the Juvenile Restitution Project have already achieved markedly improved results. During the first six months, 78 percent of all juveniles ordered to pay restitution under the project completed their payments. The figures are impressive, but the project is still new and the number of youths involved is as yet small, so more conclusive data will have to be forthcoming in the future.

The Ventura County Restitution Project has two primary goals:

1. **Reduction of juvenile recidivism through increased juvenile accountability and attendant job skills acquired thereby and**
2. **Increase in victim satisfaction through victim services and, thus, an increase in community satisfaction with the Juvenile Justice System.**

Three major approaches of the Project are working in unison to achieve these goals. They are victim services, supervision services, and the Juvenile Work Release Center.

Victim Services

The Juvenile Restitution Project hopes to open the Juvenile Justice System to the view of the entire community by satisfying victims, who want to see that juvenile justice is effectively dealing with youthful offenders. Project staff say the response to the program has been good, primarily because the victim is kept informed of the juvenile's progress.

Contact between the victims and the offenders is stressed, and, when appropriate, meetings are often arranged between the two so that restitution may be made in person. Thus the victim can see for himself that the offender is working to pay for his crime, and the offender can see the problems he has caused the victim. After accepting her first restitution check for the young man who had burglarized her home, victim Jean Caldwell thought that the Project fulfilled the stated purposes:

"I was so thrilled when I got the letters (from the project probation officers). I had thought the only way to get any kind of reimbursement was to hassle the parents in court . . . I was glad for my own kids to see you'll get caught sooner or later. It wasn't a good image for my boys to see them (the offenders) getting away with it.

Now my kids are glad they've never done anything like that."

Usually, a juvenile convicted of a crime doesn't have contact with the victim. This lack of contact allows juvenile offenders to forget that the victim exists, and the victim ends up feeling frustrated because his grievances haven't been responded to. The Project emphasizes payment of restitution in order to make juveniles more accountable for redress to the victim. It is hoped this approach will have an increased impact on the juvenile by having him realize that there is another person involved—the victim.

Participants in the experiment are chosen randomly from cases proceeding through the formal juvenile court system. Prior to the court appearance of the accused juvenile, the victim of the crime is notified by probation officers that restitution may be possible in his case. The victim is given the opportunity to complete a "victim loss" statement that serves as documentation for the juvenile court when restitution is ordered. In addition, he is given a Victim's Handbook

to help his understanding of the juvenile justice system and to render other victim assistance. After adjudication and disposition of the juvenile's case, the victim is notified of the outcome and, if applicable, the amount of restitution ordered and the time he might realistically expect to receive it. Whatever the outcome of adjudication, an ongoing communication is established with the victim to offer available services.

Supervision Services

Supervision services emphasizes the accountability of the juvenile and his redress through monetary payment to the victim, direct service to the victim, or paid community service. These efforts are carefully supervised and the casework strategy is directed towards successful completion of restitution and probation. Short-term intervention to assist the family in crisis situations may be ordered, but any long-term problems which do not have significant impact on the minor's ability to complete the probation terms are referred to community services.

During the first 90 days of probation, the juvenile is supervised on an intensive basis and contact with project officers is regular. His potential for paid employment is assessed and referrals to employers may be made. However, the youth is encouraged to do his own job-hunting. If employment skills are lacking, assistance and counseling are provided to develop employability. Youths unable to locate regular employment or too young to be placed in a paid position are assigned to community service work and credited at minimum wage scale. Termination of probation is directly tied to the completion of restitution.

Throughout the probationary period, juveniles are being prepared for eventual emancipation and entry into the job market and are given as much participation in decision-making as possible.

After the first three months, supervision is less intensive, and at the end of six months, each case is examined to evaluate the degree of compliance with probation, including the amount of restitution paid. At this time, probation may be terminated, if the probationary contract is successfully completed, or it may continue at a moderate level of supervision. It also may progress to a minimum level of supervision.

It is worth noting that after six months under supervision, 85 percent of the juveniles in the Ventura Project have obtained paid employment (part-time and full-time) and 78 percent have completed restitution—figures which far surpass initial project staff expectations.

Work Release Center

A unique component of the Ventura Juvenile Restitution Project is the Juvenile Work Release Center, a non-secure residence that will house up to 20 juveniles. The work release center allows the project to incorporate juveniles who might otherwise be incarcerated, an important group for the purposes of experimental evaluation.

The Center permits more intensive supervision of juveniles, but otherwise provides the same job counseling and services as the field component. Residents having regular paid employment are geared to developing "life skills" and maintaining paid employment. The Center opened in September, 1979.

The National Juvenile Restitution Initiative

The Ventura Project is a part of a three-year, \$30 million effort—the National Juvenile Restitution Initiative—funded by the Office of Juvenile Justice and

Delinquency Prevention, Law Enforcement Assistance Administration, U.S. Department of Justice. The National Initiative has the following objectives:

1. Encouragement of judges to order restitution,
2. Restitution as an alternative to incarceration,
3. Increase in the public confidence in the Juvenile Justice System through the increased emphasis on the victims of juvenile crime, and
4. Increase in the accountability of youths for their delinquent behavior, thereby reducing recidivism among juvenile offenders.

Of the 43 current nationwide locations for the Initiative, five sites have been selected for an intensive evaluation, one of which is the Ventura Project. The other sites are Madison, Wis.; Seattle, Wash.; Oklahoma City; and Washington, D.C.

Project Evaluation

The evaluation of the National Initiative is the responsibility of the Institute of Policy Analysis, based in Eugene, Ore. At each of the five intensive sites, IPA maintains an on-site data coordinator to collect data and provide monthly summaries of the project activities. The data collected at each of the sites will be used to develop reliable scientific information on the types of restitution programs most likely to reduce juvenile recidivism; to develop information on the types of programs most likely to increase victim satisfaction and return the greatest amount of restitution to the victim; to develop information on the programs that have the greatest positive impact on the non-victim, non-delinquent members of the community; to develop information on the comparative cost-effectiveness of different types of restitution programs; and to develop analytical and descriptive information on program problems and procedural changes during the first year of operation. The evaluation will compare restitution programs with other alternatives and will also systematically examine the relative effectiveness of different strategies and procedures used in the programs. In addition, selective information about victims and offenders will be collected and evaluated from all 43 Initiative locations.

At the five intensive sites, the evaluation will compare a control (traditional Juvenile Justice) group and an experimental (Juvenile Restitution Project) group. To effectively accomplish this, project staff first screen all juvenile petitions for eligibility, and then the on-site data coordinator selects on a random basis those cases for the experimental group. It is important to note that cases diverted to the restitution project should include those which are likely to result in incarceration of the juvenile, so that selection may be truly random. However, the Ventura site is the only intensive site which offers a nonsecure institutional alternative, thus permitting the greatest experimental scope.

In addition to the statistical data gathered on the juvenile offenders, juveniles from both the control and experimental groups will be interviewed on such subjects as attitudes towards the victim, perception of victim's loss, and self-reported recidivism.

Victims of both control and experimental groups also will be interviewed to compare their attitudes toward the Juvenile Justice System. The restitution project victims will be evaluated as to amount of restitution received in

comparison to the actual loss, victim satisfaction with the criminal justice system, victim intentions in the case of future victimization by a juvenile, and victim fear of retaliation and fear of crime.

Finally, the impact of the project on the community will be evaluated through approximately 200 interviews in each of the intensive Initiative sites.

At the end of the project, cost-effectiveness of the control and the experimental methods of juvenile justice will be compared, including such factors as the average cost of incarceration per day, average number of days incarcerated for each type of offense, average hourly court costs, average cost of probation and average amount of time spent on probation, average cost of youth services bureaus per youth serviced, average amount of time spent per youth by crime type, and any savings to the criminal justice system through reduction in recidivism and the attendant costs of incarceration.

Summary

Although the results of the evaluation of this three-year program are far from being available, the Ventura Project has had good victim and juvenile offender responses. If the experimental projects prove successful, the programs will be expanded and other jurisdictions can look to the Ventura Project as a model. However, the project is not a panacea; it cannot be all things to all people. But our expectations are that for certain types of juvenile offenders it is a better type of probation—and of course, the long-neglected victim is getting the services he needs.

VIDEO RECORDINGS—A NEW WAY TO COMMUNICATE

BY MARILYN WATTS

Ms. Watts is evaluative services supervisor of the Fresno County Probation Department

For a public which has long been on the receiving end of communication via the television tube, the use of videotape recordings to provide information on legal rights, juvenile hall procedures and other criminal justice matters can make substantial sense, as the Fresno County Probation Department and Courts have found.

The public may not be aware of the equipment and technology that allow them to view stupendous tackles, touchdown passes, and goal line stands over and over as instant replays, but it is the videotape recording that makes football a favorite media event of millions of Americans. The same equipment and technology are also being applied in a wide range of other fields from the home entertainment industry to marketing research to higher education. Its use continues to expand. In fact, for over a decade, videotape recording (VTR) has been used as a record of evidence in courtrooms across the nation. So well established is VTR for this purpose that every issue concerning its use (self-incrimination, admissibility of video evidence, right to counsel, right to confrontation, and procedural issues) has a body of case law or precedent specifying its use.¹

VTR is now being used in other ways in criminal courtrooms (pre-recording testimony; educating students, juries, jurists, and police; recording confessions; and recording trial proceedings). Case law is being built in the courts now to determine the constitutional issues of these uses of VTR. In addition, recognizing the tremendous potential benefits of VTR in the justice system, both the American Bar Association and the National Center for State Courts have recommended its application for notice or explanation of constitutional rights of defendants and for purposes of judicial administration.

Videotape Recording in the Fresno County Juvenile Court

In 1977, the Fresno County Juvenile Court, faced with increasing caseloads, requested the services of the State's Administrative Office of the Courts' Calendar Management Team to review the Court's calendaring procedures and make recommendations on ways of improving these procedures. One of their recommendations involved the use of a videotape recording (VTR) to advise minors and their parents of their rights and responsibilities and to outline the hearings and procedures involved in the Juvenile Courts system. They felt that reducing the time spent in court advising minors of their rights would aid in managing the higher volume of cases.

¹Taillefer, F.J.; Short, E.H.; Greenwood, J.M.; Brady, R.D.; *Video Support in the Criminal Court*. Denver, Colorado: National Center for State Courts, Pub. No. R0008, May, 1974.

Frank J. Creede, Jr., who was the Presiding Judge of the Juvenile Court at that time, requested that an experimental videotape advisement be prepared. The Fresno County Probation Department, the County Schools Department and the two Juvenile Court Referees, J. Montgomery Carter and William A. Sanderson, worked together to develop and film an experimental videotape advisement.

This experimental VTR was so well received that a grant application was submitted by the Superior Court to the Law Enforcement Assistance Administration to obtain funding to enlist the services of a specialist to produce the film in color and to aid in developing a Spanish version of the film. After the application was approved by the Board of Supervisors and by LEAA late in 1978, the current Presiding Judge of the Juvenile Court, Pauline Davis Hanson, appointed an advisory committee to develop a script for the VTR which would cover the minors' basic rights; the parents' responsibilities, liabilities and rights; the names and purposes of Juvenile Court Hearings; an explanation of the types of petitions and charges that could be filed; the appeal process; and finally some of the possible consequences or dispositions available to the Judge or Referee.

All of the juvenile justice system agencies (Superior Court Administration, the Juvenile Court Judge, the Juvenile Court Referees, the District Attorney's Office, the Public Defender's Office, and the Probation Department) were represented on the Advisory Committee. After the script was developed, additional consultants were enlisted to help prepare the Spanish translation of the text. A local attorney with professional broadcasting experience was found to provide the narration of the script.

A professional broadcasting company filmed and produced the videotape recording. The visual portion of the VTR was filmed at the Fresno County Juvenile Hall where the Juvenile Court is located and many of the scenes are set in individual courtrooms to depict the court operations as realistically as possible. The auditory portion explains and describes the Juvenile Court process, the Juvenile Court hearings and their purpose, the clients' rights and responsibilities, and some of the potential consequences of a juvenile law violation. The Spanish translation used the same script and the same video sequence. Both versions of the tape are approximately ten minutes long.

Procedure for Using VTR

Currently, the VTR advisement of rights is shown to all minors and their parents appearing for Detention or Arraignment Hearings at Juvenile Court. The Spanish language version is shown to those clients needing interpretation to Spanish. Because understanding their rights is imperative to clients acting in their own best interest during the court process, the Juvenile Court requires the minors' attorneys and the Judge or Referee hearing their cases to reconfirm their understanding of the tape.

The attorneys review a standard form (developed by Fresno County Juvenile Court specifically for this purpose) with the minors and parents before their hearings. The form seeks information on the viewing of the VTR, and the minor's understanding of each specific right. It explains waiver of rights and inquires whether he or she wishes to waive any individual rights. With the attorney's help, the form is filled out and signed before the court hearing.

Once before a Judge or Referee, the minor and parents are again asked about viewing the VTR and if they understand their rights. This system seems to

provide ample opportunities and checks to insure that clients understand the process.

Validation of the VTR Advisement

Because VTR use for advisement of rights is a new concept and lacks specific precedent in Juvenile or Adult Criminal Courts, it was also considered desirable to determine whether client comprehension was as high using VTR advisement as through individual in-court advisement by a Judge or Referee, along with what time savings resulted from Judge Hanson requested the services of the Fresno County Probation Department Evaluations Unit to develop a method to determine the effectiveness of the VTR advisement.

A controlled experiment was proposed and undertaken which randomly selected three groups to be given different methods of advisement and then tested each group for comprehension of the material. The experiment also measured time spent for advisement to estimate time savings. The cooperation and support of all of the agencies involved with the Juvenile Court process was solicited and obtained to conduct the study.

Summary of Results and Conclusions

The results of the study indicated that clients seeing a videotaped advisement of their rights comprehended their rights as well as those who received traditional in-court advisement. It was also found that there was no increase in understanding or comprehension when clients received both advisement presentations.

Traditional oral advisements were found to take an average of 10.75 minutes. Thus, the study estimated a minimum time savings of 7.3 hours per week, and a maximum time savings of 15.2 hours per week for the Juvenile Court Referee, Court Clerk and Recorder (and for each of the other agencies' personnel involved in the hearings, the District Attorneys, the Public Defenders and the Probation Officers).

Because of the apparent effectiveness of the VTR in communicating the minors' rights and in reducing the time spent in each hearing, the study recommended that the VTR advisement completely replace the traditional advisement process for Detention and Arraignment Hearings. The study also recommended that the court attempt to identify other repetitive but necessary advisements or instructions for which VTR could be substituted.

Probation Department Use of VTR

Approximately two years ago, James Rowland, Chief Probation Officer of Fresno County, saw a need for some systematic method of communicating to minors in custody about their rights and obligations, and the rights and limits of staff supervising them. At this time, he requested a VTR be developed to explain the ward grievance procedure and the minors' rights during detention.

Under the direction of Linzie Daniel, Superintendent of Juvenile Hall, an Advisory Committee was formed to develop a script for the videotape and to aid in filming. The committee was composed of all levels of Juvenile Hall personnel, line staff, as well as management.

The group decided two presentations were needed. One VTR would be seen by the wards, explaining their rights and responsibilities in custody, the procedure for filing a grievance, and their Juvenile Hall staff rights and limitations. Thus,

the wards would better understand whether future complaints about staff would be actually grievable. It would clarify ward policies for the minors.

The other film would be developed to be shown to juvenile justice commissions and other citizens' advisory groups and any interested individual citizens. Its purpose would be to explain the history of the development of the procedures, policies, and laws relating to the handling of minors in the Juvenile Hall, and to explain the ward grievance procedure and its development. It would also discuss the issues relating to staff boundaries in handling troublesome youths. The viewers of this film would also view the first film designed to be seen by the minors. The information contained on the two VTRs is felt to enable the public to better evaluate and advise the Probation Department on management of youths under their care.

The taping is now in progress and is being handled by Joe Edwards, Juvenile Hall Program Coordinator. This new method of instructing minors on the ward grievance procedure and of better informing citizens' advisory groups and the public is expected to be operational by the end of the year. Besides standardizing the information which the minors and public receive (insuring greater completeness and accuracy of information), staff feel the process will save time in answering questions about non-grievable complaints and reduce the frustration and powerless sometimes felt by juveniles in custody.¹

¹Further information about the VTRs of the ward grievance procedure may be obtained from Joe Edwards, Juvenile Hall Program Coordinator, 744 South 10th St., Fresno, CA 93702, (209) 488-3626. Further information or copies of the evaluation report and supplementary materials on the Juvenile Court VTR can be obtained from J. J. Johnson, Superior Court Administrator, 1100 Van Ness Ave., Fresno, CA 93721, (209) 488-1625.

SHARING LOVE AND UNDERSTANDING

BY NAT GARTH

Mr. Garth is volunteer coordinator of the California Youth Authority's Institutions & Camps Branch

For the past 12 years, a group of low-income senior citizens has participated in a program which has been growing steadily in stature as a device for providing warmth, understanding and human comprehension to Youth Authority wards in four institutions. The following tribute to the Foster Grandparent Program was made by the author in an address at 12th annual recognition day ceremonies November 9, 1979, at the Northern California Youth Center in Stockton.

I struggled for many hours, trying to develop a speech that would be informative and, at the same time, express the Youth Authority's appreciation for the excellent manner in which you provide a helping hand and patient guidance to our young adults. I feel it is appropriate to talk about the past, present, and future of the Foster Grandparent Program.

In 1965, Congress passed legislation authorizing the FGP, through the Older Americans Act. This legislation was the result of Congress' and the public's awareness of the fact that one of four persons over the age of 60 was living in poverty. It was also discovered that an even larger problem existed—that many older Americans felt isolated, useless, unwanted, and left out of society. At this point, I want to say that over the years, you have more than proved your worth and usefulness to the Youth Authority and the youthful population we serve. Your contributions and effectiveness cannot be overstated, because you have meant a great deal to all of us.

The purpose of the Older Americans Act was to supplement elderly citizens' income that was at or below the poverty level, and, at the same time provide positive relationships between older persons, who have a lifetime of knowledge and skills to offer, and the youthful offenders in our institutions. A small stipend of \$1.60 is paid, to help compensate for the time and expenses you incur during the approximate four hours each day you spend with our youths.

The Northern California Youth Center's FGP was the first in the Youth Authority. It began in 1960, and as a result of your contributions and normalizing influence in the institutions, the program was expanded to the Fred C. Nelles School.

Now, let's take a look at the present. Currently, you are providing excellent tutorial services to our youths. This is a very important area for them, because many read below the third grade level. We have found that in order for a person to complete a job application, he or she needs to read at least at the seventh grade level. So, you are doing an excellent job and providing a much-needed service. Most of all, you are giving your time and your love to a group of young adults who desperately need a lot of both. It has been said that, "Time is the most precious gift one person can give to another." I'm sure the young people with whom you work, as well as our staff, wholeheartedly agree with that statement.

It is with great pleasure that I was present in March 1979, when eight Foster Grandparents were honored for 10 years or more of service to our youths. This,

indeed, was a milestone and another example of your sharing your love and understanding with young people who need to feel loved and understood.

Earlier this year, the FGP was instituted at the DeWitt Nelson Youth Training Center. This expansion has been warmly received by both the administration and the staff of that institution. They value your support and recognize the important contribution you make, as well as your positive effect on the whole institution. Mr. Howard Parks, the NCYC Project Director, also has been coordinating your training, to enable you to do the best job possible. I have attended some of the training and was impressed with its high caliber and your eager participation.

Because you have proven your effectiveness, the staff and the administration have been free to address other problem areas. So, just because you are not given a lot of the staff's time, don't feel you are being ignored. It only means you are doing an excellent job, and they sincerely appreciate your help. This message needs to be stated more often, and I hope, in the future, it will be.

What does the future hold for Foster Grandparents? Recently, Governor Brown signed Assembly Bill 1247, which has a \$250,000 budget for FGPs. This legislation is significant, because it indicates that more and more people are becoming aware of the benefits you provide and your desire to help young adults become productive members of society. We hope that within the next two to three years, new legislation will increase the program's budget to a million dollars, which is the amount originally requested in AB 1247. If this occurs, we hope to expand the FGP to institutions and communities throughout the State.

The Federal budget (when signed) will increase your stipend from the current \$1.60 per hour. In addition, increased educational trips for Foster Grandparents are being planned, as well as other programs that will utilize your special skills. The future looks bright, and you are continuing to set a shining example of how much you can accomplish if given the chance.

Over the years, the Youth Authority has had many programs that have come and gone. It is interesting to note that after 12 years, the FGP is still with us. This probably makes the FGP the longest lasting continuous program in Youth Authority history. As Foster Grandparents, you should feel extremely proud of this achievement. Your program is one that not only fulfills your need to be active and to give of yourselves, but it also has added, immeasurably, to the lives of the young adults we have in our care. Thus, the needs of both groups are being fulfilled. I believe this is one of the keys to your success.

In closing, I want to re-emphasize that you are a very valuable and productive group to society, and your contributions are sincerely appreciated by the Youth Authority and our clients, especially the clients. I think your program truly expresses our clients' continuous need for affection, understanding, and guidance.

THE LANGUAGE OF CONTEMPORARY CRIMINAL JUSTICE

BY RICHARD S. ALLINSON

Mr. Allinson is publications director of the National Council on Crime and Delinquency.

A hearty but subtle blow in favor of the King's English is struck by the author* who has devoted considerable time going over criminal justice papers, reports, studies and other written paraphernalia that abound in the system.

To get ahead in today's bullish criminal justice system market-place, one must know the proper way to communicate with one's colleagues. Therefore, as a service to the profession, I have prepared this brief primer on the distinctive rhetoric and usages of contemporary criminal justice.

One must begin by recognizing that criminal justice is no longer the cottage industry of Beccaria's day. Thanks to the massive federal subsidies of the past decade, the battle against crime has become a booming conglomerate, attracting entrepreneurs from several more established disciplines. Each of these contributing professions has left its distinctive imprint on crime control terminology. Today, the well-spoken planner, academic, or administrator must be fluent in a hybrid argot linguistically cross-pollinated by law enforcement, sociology, the legal profession, and government bureaucracies, among other sources.

With that mixed ancestry in mind, here are a few simple rules to follow in making oneself understood by criminal justice audiences.

RULES OF THE GAME

Rule 1 ("Police Palaver")—

Never Use a Short Word

If a Long One Will Do

We have all enjoyed the stirring narratives given by police officers being interviewed on the air at the scene of a crime; for example, "The perpetrator was apprehended after accosting the complainant exterior to the premises of habitation. . . ." No doubt they teach at the Police Academy that to say something like "We caught the suspect outside the victim's house" is déclassé and sounds uneducated.

That amazing ability to stretch any thought into a seemingly infinite succession of syllables has served law enforcement well in its recent marriages to advanced public administration and social science (both of which have similar propensities). Thus, in an article on "management by objectives" in police administration we find the following:

Consider the perpetuation of such police practices as the utilization of

* This article was first published in the July, 1979, issue of *Crime & Delinquency*, published by the NCCD, and is reprinted with permission of the author and that publication.

para-military rank structure and the seemingly sacred process of promotion from within the organization.¹

Although the last phrase verges on unadventurous standard English, the use of "Perpetualization," "utilization," and "paramilitary rank structure" helps save the sentence from unseemly brevity.

What happens when law enforcement and academia meet? This combination offers boundless new possibilities for multisyllabic merriment. Here are just a few representative sentences from a recent article by two law enforcement educators:

When placing crime prevention efforts by police, courts and corrections in historical perspective, it is quite clear that the necessary impetus has only been spawned. . . . Planning should be meticulous and considerable contemplation must be devoted to staff selection. . . . An amalgamated approach to crime prevention should result in a more frugal expenditure of funds.²

Be sure to note the exuberantly gratuitous use of "been spawned," "contemplation," and "amalgamated," where the shorter "begun," "thought," and "combined" would have served so well.

Rule 2 ("Sociological Inscrutability")—

***Create New Words Whenever Possible
or Give New Meanings to Old Words***

Credit the sociologists with the inspiration to enliven our professional discourse by inventing completely new words at will. (As I write this, I receive a new issue of a professional journal which will introduce me to the neophyte terms "decrement" and "deprofessionalization."³) This lesson was not lost on criminal justice practitioners, who quickly learned the advantage of neologisms: They need not have any agreed-upon meaning. Not only does this afford us wide latitude for imprecision, but it has a subsidiary advantage: When one's arguments are attacked, one can easily reply, "But that's not at all what the term means." The writer or speaker thereby wins nearly infinite flexibility in wriggling out of unpleasant challenges.

For example, I defy any reader to penetrate the meaning of the following sentence:

The curricular recommendations will be formated for publication as a congruent set of course guidelines which involve a systemic examination of the entire criminal justice progress from an analytic perspective.⁴

Sound like Greek? No, simply a bit of instant work "formating."

Once you get the hang of it, it is not even necessary to invent new words. Sufficient to stretch existing words into combinations that become opaque, such as

From a knowledge of the person's CL [conceptual level], it is possible to derive specific environmental prescriptions to facilitate optimal contemporaneous functioning or to encourage development.⁵

¹ James Nursey, "Management by Objectives—Applicability in Law Enforcement Organization," *The Police Chief*, April 1975, p. 37.

² Dales T. Beerbower and L. William Sheppard, "Fourth Dimension of the Criminal Justice System," *FBI Law Enforcement Bulletin*, March 1976, pp. 24-25.

³ *Offender Rehabilitation*, Summer 1978, pp. 303, 333.

⁴ Course announcement sent by the School of Criminal Justice, Michigan State University, Spring 1976.

⁵ Ronald Brill, "Implication of the Conceptual Level Matching Model for Treatment of Delinquents," *Journal of Research in Crime and Delinquency*, July 1978, pp. 229-46.

Thanks to the Law Enforcement Education Program, tens of thousands of future criminal justice decision makers are being exposed to college sociology courses that thrive on this sort of prose.

*Rule 3 ("Legalistic Locution")—
Always Repeat the Same Thought
in As Many Redundant Words
As Can Be Thought of*

For some unknown reason, early in its history the legal profession developed a taste for stringing together synonymous words and phrases. It was, after all, lawyers who sired "aid and abet," "lewd and lascivious," "wanton and malicious."

Of course lawyers as legislators have filled our statute books with miles of superfluous verbiage. Here, for example, is but one of the many statutory duties assigned to the U.S. Law Enforcement Assistance Administration:

The definition, development, and implementation of programs and projects designed to improve the functioning of courts, prosecutors, defenders, and supporting agencies, reduce and eliminate criminal case backlog, accelerate the processing and disposition of criminal justice, and improve the administration of criminal justice in the courts, . . . programs and projects for expediting criminal prosecution and reducing court congestion.⁶

Never mind the needless repetitiveness of "definition, development, and implementation." Disregard the fact that to "accelerate the processing and disposition" of a case implies that "processing" does not include "disposition." The real achievement is the bill drafters' ability to take a single simple thought and regurgitate it into five separate clauses: (1) "improve the functioning of courts," (2) "reduce and eliminate criminal case backlog," (3) "accelerate the processing and disposition of criminal justice," (4) "improve the administration of criminal justice in the courts," and (5) "expediting criminal prosecution and reducing court congestion." All five phrases restate precisely the same idea.

It is not surprising that this talent for needless reiteration has now spread to the rest of the criminal justice system. Redundancy is especially prized in material written by committees. For instance, one of our prestigious commissions on criminal justice standards has advised that

each State by 1978 should develop and maintain, or cooperate with other states in development and maintenance of, a correctional information system to collect, store, analyze and display information for planning, operational control, offender tracking, and program review of all State and county correctional programs and agencies.⁷

This sentence means: "By 1978 each state should have, or share in, a complete corrections information system for use in planning and administration of state and county programs" (twenty-five words, forty-four syllables). The committee proudly padded this thought up to a grand total of forty-seven words and ninety-six syllables! Fortunately, it is now well understood by all types of criminal justice personnel, not just lawyers, that adding redundant words and phrases enables the author to turn a skimpy declarative sentence into a paragraph-length treatise with real bulk.

⁶ Pub. L. 94-503, Oct. 15, 1976, sec. 109 (10).

⁷ U.S. National Advisory Commission on Criminal Justice Standards and Goals, *Corrections*, Standard 15.1 (Washington, D.C.: Govt. Printing Office, 1973), p. 519.

Rule 4 ("Bureaucrats' Blather")—**Insert As Many Meaningless Words and Dead Phrases****As Possible into Each Sentence**

Bureaucratese is the glorious culmination of the principles discussed above. Because the bureaucrat's function is itself largely abstract, the administrative functionary has a built-in penchant for language that is as far removed as possible from any concrete action or event.

That is why the bureaucrat's favorite verb is *implement*, the dullest implement in our toolbox of verbs, with the vaguest of meanings. The use of "implement" thus ensures that no one will know precisely what is to be done.

Here is a specimen of bureaucratic prose guaranteed to glaze the eyes:

The challenge of organizational development is close to, if not part of, the very foundations for the design of a new quality of life that looks upon man's potentiality as not only something to be revered in words but also to be continually actualized in systems that respect and require human dignity and organizational health.⁸

Not a concrete notion in the entire paragraph. Pure smoke and no fire. One of our criminal justice publications thought so well of this high-minded, though vacuous, sentiment that it was reproduced (without irony) as a "quotable quote."

Then there is the matter of dead phrases—collections of words that add nothing to a sentence but length. Take, for example, the following paragraph, which, though written by a legislative aide, is vintage bureaucratese:

The committee decision to recommend increases for its programs in view represents judgments by members derived from previous consideration of these programs in the context of generic legislative responsibilities. In this respect, the Human Resources Committee implements these activities on a continuing basis and each of our existing programs represents the current product of years of deliberation to establish the enabling legislation.⁹

What a sparkling assortment of sentence stuffers: programs *in view*; in the context of *generic legislative responsibilities*; and that old favorite, *on a continuing basis*. No worry about conciseness here. The Commission on Reducing Federal Paperwork notwithstanding, any document that is too short just can't be very important.

A special place of honor must be reserved for the verbal pyrotechnics of the social service agencies and their teachers, the schools of social work. What follows, actually considered rather terse by federal government standards, is only one of dozens of objectives of a new program born in the bowels of the Department of Health, Education and Welfare (where else?):

To demonstrate that the delivery of social services to children and their families by public agencies can be improved through the utilization and implementation of Self-Assessment manuals and System Design materials geared toward improving the quality, timeliness and efficiency of service delivery.¹⁰

Remarkable how social services are always "delivered" (are they ever undeliverable and stamped "return to sender"?), how often "utilization" can be

⁸ Chris Argyris, *Management and Organizational Development: The Path from XA to XB*, quoted in *Soundings on Youth*, June 1975, p. 5.

⁹ Letter to Senator S. I. Hayakawa, quoted in *Washington Post*, Apr. 26, 1977, p. A5.

¹⁰ Department of Health, Education and Welfare, "Child Welfare Research and Demonstration Grants Program," *Federal Register*, May 24, 1978, pp. 22243-44.

substituted for "use" (five syllables instead of one), how one can make "utilization" and "implementation" into redundant synonyms, how a plan graduates to a System Design, and how neatly "geared toward improving" replaces the simpler "to improve."

But the meat and potatoes of bureaucratic prose are those old standbys: goals, objectives, strategies, tactics, priorities. Borrowed from the military, where they at least occasionally have concrete referents on the battlefield, in the typical bureaucratic usage these words have the advantage of being totally abstract. Take, for example, the following quote; it applies to police work, but substitute the word *program* for *patrol* and it could just as easily be referring to courts or correction.

Finally, most departments have not developed systematic patrol goals and objectives that can be used by patrol managers and first line supervisors to prioritize the patrol workload and develop an effective patrol program. In many departments patrol is mobilized primarily by citizen requests for service and is regarded as a reactive response force. In general, few departments have defined the patrol mission clearly enough so that effective anti-crime and order maintenance strategies can be implemented by patrol officers.¹¹

In a statement such as this even the most sophisticated reader will quickly become dizzy trying to project mental boundaries between missions versus goals versus objectives, between strategies versus priorities versus tactics.

Yet another way bureaucrats introduce ambiguity into their writing is by using the passive voice, abetted wherever possible by the conditional tense. The former blurs the identity of the actor and the time an event occurred; the latter helps the writer avoid taking a stand about the desirability of an action and also avoid mentioning whether or not anyone actually intends to do anything. The following is a prime example of such a free-floating thought unchained to time, place, or person:

Exploration of the problems and achievement of agency priorities and goals would receive focus with an effort to develop plans for seeking solutions to the barriers. Frames of reference, in addition to established priorities which have an [effect] on the determination of work activities, should be explored.¹²

Conclusion

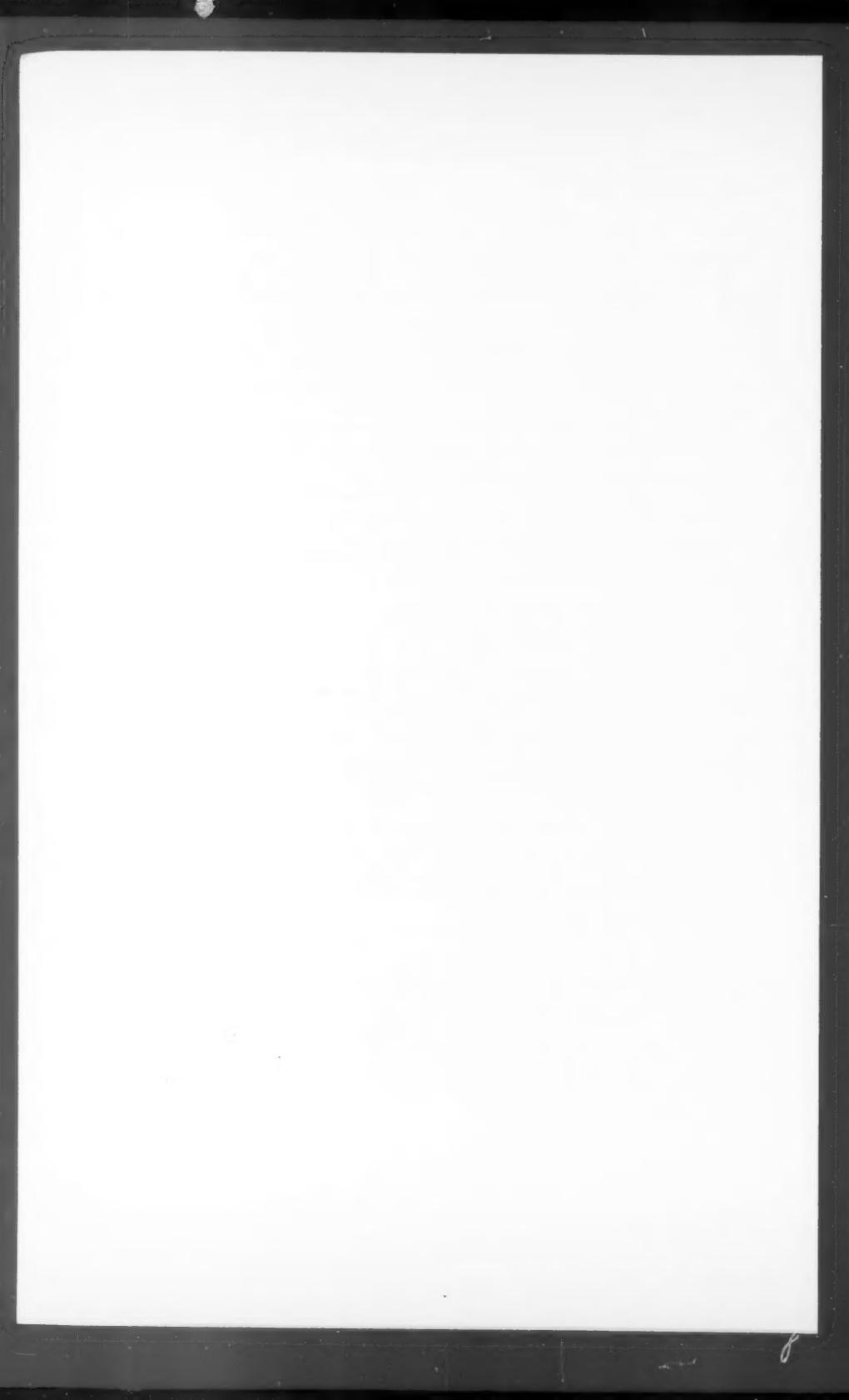
The observant reader will have noticed substantial overlap in the rules set forth above and the quotes which exemplify them. That, indeed, is the point.

One must first master the individual rules, and then learn subtly to blend them, to create truly distinctive criminal justice prose. Otherwise, one risks having one's meaning understood. Or worse, one risks having the emperor's expensive clothes stripped off and letting it be known that the words have little or no meaning in the first place.¹³

¹¹ William G. Gay et al., *Improving Patrol Productivity: Routine Patrol* (Washington, D.C.: Govt. Printing Office, July 1977), p. 11.

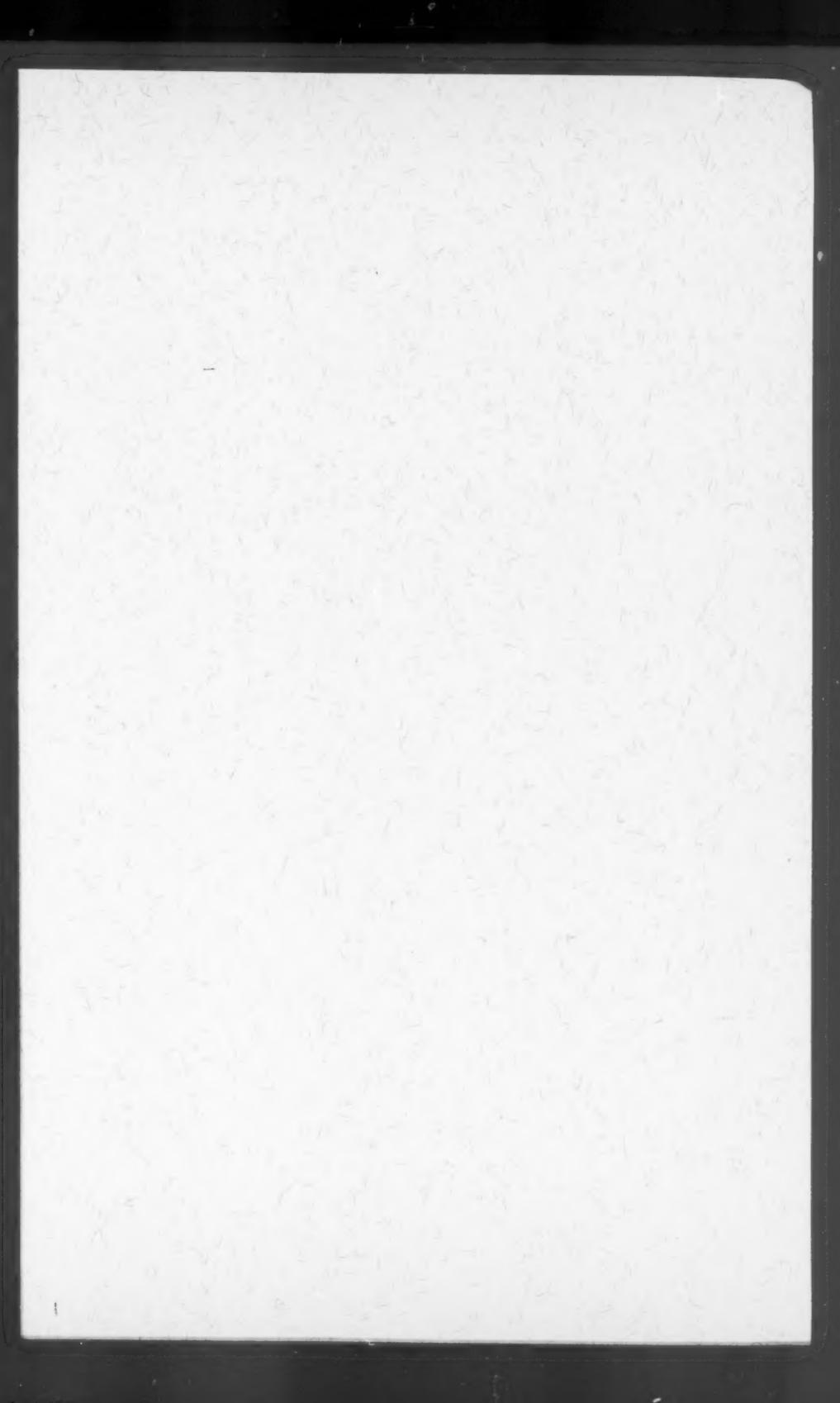
¹² Internal memo, National Council on Crime and Delinquency, Jan. 13, 1978.

¹³ Readers who would like a more detailed discussion are referred to George Orwell's essay, "Politics and the English Language," in *The Collected Essays, Journalism and Letters of George Orwell*, vol. 4, Sonia Orwell and Ian Angus, eds. (New York: Harcourt, Brace & World, 1968), pp. 127-40.





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